

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

LIFE TECHNOLOGIES, CORP., et al,

Plaintiffs,

v.

MICHELLE K. LEE, Deputy Under  
Secretary Of Commerce for Intellectual  
Property and Deputy Director of the United  
States Patent and Trademark Office,<sup>1</sup>

Defendant.

Civil Action No. 1:13cv1046 (LMB/TCB)

**NOTICE OF DISMISSAL UNDER FED. R. CIV. P. 41(a)(1)(A)(i)**

In accordance with Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiffs Life Technologies, Corp., Life Technologies (Israel) Ltd., Molecular Probes, Inc., and Applied Biosystems, LLC hereby provide this notice of dismissal of this civil action against Defendant Michelle K. Lee, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office, without prejudice. Defendant does not oppose the entry of this dismissal.

*So Ordered*

*/s/ LMB* 3/21/14  
\_\_\_\_\_  
Leonie M. Brinkema  
United States District Judge

---

<sup>1</sup> On January 13, 2014, Deputy Director Lee assumed the duties and functions of the Under Secretary of Commerce for Intellectual Property and Director of the USPTO. Accordingly, Ms. Lee should be substituted for Teresa Stanek Rea. *See* Fed. R. Civ. P. 25(d).

Respectfully,

Date: March 21, 2014

/s/ Antigone G. Peyton  
Antigone G. Peyton (VSB No. 48472)  
CLOUDIGY LAW PLLC  
8300 Greensboro Drive, Suite 1250  
McLean, VA 22102  
Telephone: (703) 436-2033  
Facsimile: (703) 436-2268  
Email: [antigone.peyton@cloudigylaw.com](mailto:antigone.peyton@cloudigylaw.com)

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 21, 2014, I electronically filed the foregoing Notice of Dismissal with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following, who were also served via electronic mail:

Benjamin T. Hickman  
Special Assistant United States Attorney  
U.S. Attorney's Office for the Eastern District of Virginia  
2100 Jamieson Ave.  
Alexandria, VA 22314  
(703) 299-3770  
Benjamin.Hickman@usdoj.gov

/s/ Antigone G. Peyton  
Antigone G. Peyton (VSB No. 48472)